

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. Brian Keith Edwards

Docket No. 0650 3:12CR00151 - 1

Petition for Action on Conditions of Pretrial Release

COMES NOW Angela D. Rankin, PRETRIAL SERVICES OFFICER presenting an official report upon the conduct of defendant Brian Keith Edwards who was placed under pretrial release supervision by the Honorable Juliet Griffin, U.S. Magistrate Judge sitting in the Court at Nashville, Tennessee, on December 17, 2012, under the following conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page three of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Angela D. Rankin	<u>Angela Rankin</u>	Nashville, TN	September 10, 2013
U.S. Pretrial Services Officer		Place:	Date:
Next Scheduled Court Event	Trial	October 29, 2013	
	Event	Date	

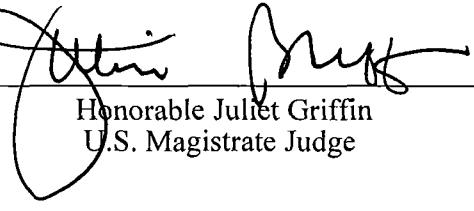
PETITIONING THE COURT

- | | |
|---|--|
| <input checked="" type="checkbox"/> No Action | <input type="checkbox"/> To issue an order setting a hearing on the petition |
| <input type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> Other |

THE COURT ORDERS:

- | | |
|--|---|
| <input checked="" type="checkbox"/> No Action | <input type="checkbox"/> A Hearing on the Petition is set for |
| <input type="checkbox"/> The Issuance of a Warrant. | |
| <input type="checkbox"/> Sealed Pending Warrant Execution
(cc: U.S. Probation and U.S. Marshals only) | Date _____ Time _____ |
| <input type="checkbox"/> Other | |

Considered and ordered this 10th day
of September, 2013, and ordered filed
and made a part of the records in the above
case.


Honorable Juliet Griffin
U.S. Magistrate Judge

Honorable Juliet Griffin
U.S. Magistrate Judge
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The defendant was arrested on December 13, 2012, after being charged with Felon in Possession of a Firearm. Defendant Edwards was released at the time of his Detention Hearing on December 17, 2012, to pretrial supervision with special conditions.

Special Conditions of Pretrial Release:

Please reference the attached Order Setting Conditions of Release.

Previous Violations:

On December 18, 2012, the defendant reported to the U.S. Probation Office to meet with this officer for a Post Release Intake Interview. The defendant submitted a urine screen at that time which tested positive for marijuana. Mr. Edwards readily admitted to using marijuana prior to his arrest for the instant offense. The specimen was sent to Alere Laboratory, Gretna, Louisiana, for confirmation. The specimen was confirmed positive for marijuana.

This officer reprimanded the defendant for using an illegal substance, and informed him that if he continued to test positive, further action would be taken. On December 18, 2012, this officer referred the defendant to Centerstone for an alcohol and drug assessment. Centerstone recommended treatment, and the defendant remains in treatment at this time. Mr. Edwards has also continued to be tested for illegal substances on a random basis.

New Violations:

Defendant shall refrain from use or unlawful possession of a controlled substance, unless prescribed by a physician:

On August 30, 2013, the defendant submitted a drug test which tested positive for cocaine. However, the defendant denied use of the illegal substance, and signed the Substance Abuse Testing form disagreeing that he had used cocaine. The specimen was sent to Alere Laboratories, Gretna, Louisiana, for confirmation. The specimen was confirmed positive for cocaine.

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On September 9, 2013, this officer informed the defendant that his recent drug test results had been received, and it confirmed the specimen was positive for cocaine. The defendant then produced some Lidocaine patches and two small tubes of Anbesol, and stated that he could not believe that his test was positive for cocaine. He further stated that at some point in time he was at the emergency room at a local hospital for food poisoning and the nurse had informed him that he had cocaine in his system. He stated that he had no idea how that occurred as well. This officer informed Mr. Edwards that neither Lidocaine or Anbesol would cause the drug test to be positive for cocaine. This officer then called in Drug Program Assistant Bill Lord, and asked his opinion. He concurred with this officer and expressed the same to the defendant. This officer then informed Mr. Edwards that because the laboratory had confirmed the positive for cocaine that Pretrial Services was required to notify the Court. After much discussion with the defendant regarding this matter, Mr. Edwards finally admitted that he had used cocaine several days prior to the drug test.

Probation Officer's Actions:

This officer strongly reprimanded the defendant, and also moved him back to Phase I of the Code-A-Phone Program, where as, he will be tested more often for illegal substances. This officer will also contact the counselor at Centerstone to advise of the positive drug test, and determine if she recommends more intensive drug treatment.

Respectfully Petition the Court as Follows:

The Pretrial Services Office requests that No Action be taken at this time. However, if the defendant continues to test positive for illegal substances, a hearing will be requested by this officer to determine why his pretrial supervision should not be revoked. Assistant U.S. Attorney Lee Deneke has been contacted and agrees with this recommendation.

Approved by:



W. Burton Putman
Supervisory U.S. Probation Officer

xc: Assistant U.S. Attorney Lee Deneke
Defense Counsel Douglas Thoresen

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RELEASE ORDER AND CONDITIONS OF RELEASE

- Defendant is released on his/her own recognizance, no appearance bond shall be posted, and the following ~~statutorily required standard~~ conditions of release are hereby imposed:
- Defendant shall be released on a non-surety bond in the amount of _____, no security or monies shall be required for defendant to be released, and the following conditions of release are hereby imposed:
- Defendant shall be released on a non-surety bond in the amount of _____ cash in the amount of _____ shall be posted to the Clerk of Court, or such other security as listed below, and the following conditions of release are hereby imposed:
- Defendant shall be released on a surety bond as described below:
- Defendant shall remain on the conditions of supervised release that have been previously imposed by the District Judge. In addition, defendant shall abide by the following conditions:

WHILE ON RELEASE, I FULLY UNDERSTAND:

- 1) *BE* I may not change my address or move without permission of the Court. My correct address has been provided to Pretrial Services.
- 2) *BE* I must be in Court each and every time I am instructed to be there, and surrender to serve any sentence imposed.
- 3) *BE* I cannot intimidate or harass any witness, victim, informant, juror or officer of the Court; I cannot obstruct any criminal investigation.
- 4) *BE* I must not violate any local, state or federal law. If I do, I could be punished by as much as from 90 days to 10 years imprisonment in addition to the penalty provided for the offense committed.

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- 5) If I violate any condition of release, a warrant for my arrest could be issued, any bond signed may be forfeited, and new bonds with additional conditions, or my detention until trial, could be ordered by the Court, and I could be held in contempt of Court.
- 6) If I fail to appear at any proceeding in this case or I fail to surrender to serve any sentence imposed, I could be charged and convicted of bail jumping which is punishable by, in some cases, as much as 10 years imprisonment and/or a fine, in addition to any other punishments imposed in the original case.
- 7) This special condition or conditions:

A. B.E. Defendant shall report to Pretrial Services as directed

B. B.E. Defendant shall maintain or actively seek verifiable employment

C. B.E. Defendant shall surrender any passport to Pretrial Services as directed

D. B.E. Defendant shall obtain no new passport

E. B.E. Defendant's travel is restricted to the Middle District of Tennessee unless he obtains prior approval from Pretrial Services

F. B.E. Defendant shall avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution

G. B.E. Defendant shall undergo mental health treatment as directed by Pretrial Services

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F. K. E. Defendant shall not have in his possession any firearm, ammunition, or other destructive device

G. K. E. Defendant shall refrain from the excessive use of alcohol

H. K. E. Defendant shall refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner

I. K. E. Defendant shall submit to any method of testing required by the Pretrial Services Office for determining whether the defendant is using a prohibited substance, such methods may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing

J. K. E. Defendant shall participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed appropriate by the Pretrial Services Officer, any inpatient treatment may be followed by up to 90 days in a halfway house

K. M. E. Defendant shall refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release

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L.N.B.E. Defendant shall report as soon as possible, within 48 hours, to the supervising officer, any contact with any law enforcement personnel, including, but not limited to any arrest, questioning, or traffic stop

M.O.B.E. Defendant shall allow a Probation/Pretrial Services Officer to visit at any time at home or elsewhere and confiscate any contraband observed in plain view

N.F.B.E. Defendant shall be placed in the third-party custody of LaWanda Kinnard

All conditions have been read to me by USPO Rantan.

Signed: Brian Edwards

Date: 11/18/2012

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I acknowledge I have read this Order. I understand that I will receive a copy of it and any Appearance Bond that the Court has ordered at the conclusion of this hearing.

Date: December 17, 2012

X Brian Edwards
Defendant

It is ORDERED that the conditions listed above are imposed. 18 U.S.C. § 3142.


UNITED STATES MAGISTRATE JUDGE

The Middle District of Tennessee consists of the following counties: Cannon, Cheatham, Clay, Cumberland, Davidson, DeKalb, Dickson, Fentress, Giles, Hickman, Houston, Humphreys, Jackson, Lawrence, Lewis, Macon, Marshall, Maury, Montgomery, Overton, Pickett, Putnam, Robertson, Rutherford, Smith, Stewart, Sumner, Trousdale, Wayne, White, Williamson and Wilson.

The following are pertinent Middle District of Tennessee numbers (Area Code 615):

U.S. Magistrate Judge Juliet Griffin	- 736-5164
U.S. Magistrate Judge Joe B. Brown	- 736-7052
U.S. Magistrate Judge E. Clifton Knowles	- 736-7347
U.S. Magistrate Judge John S. Bryant	- 736-5878
Clerk of Court	- 736-5498
U.S. Marshal	- 736-5417
U.S. Attorney	- 736-5151
U.S. Probation	- 736-5771
Federal Public Defender	- 736-5047

The United States District Court in Nashville is located in the United States Courthouse, 801 Broadway, at the corner of Eighth and Broad. The Court in Cookeville is located at 9 East Broad Street. The Court in Columbia is located at 816 South Garden Street.